

**APPROVED MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, June 9, 2014
TOWN HALL MEETING ROOM #133**

1. Convene Meeting

Chairperson S. Fox convened the meeting at 7:00 p.m. and established a quorum of members.

2. Roll Call and Designation of Officers

Present: Chairperson S. Fox, Vice Chairman M. Forlenza, Secretary M. Mulvaney, M. Kukk (arrived at 7:03 p.m.), Alternate & Voting Officer R. Hutteman

Absent: None

Also Present: Wetlands Enforcement Officer K. Daniel, Recording Secretary D. Cioffi

3. Wetlands Enforcement

a. Enforcement Officer's Report

1. **64 North Lake Shore Drive - #201300317** – This matter is being handled by the Town Attorney.
2. **20 Deerfield Road #201301082** – The status of the mill foil will be checked.
3. **36 North Mountain Road #201400221**– WEO Daniel met with a CCA representative regarding the planting plan. The landscape architect will be attending a meeting in the near future.
4. **248 Whisconier Road #201400273** – This violation relates to rocks being placed to change the direction of the stream.

Commissioner Kukk arrived at 7:03 p.m.

5. 871 Federal Road

- a. Letter from S. Hayden of the Northwest Conservation District to K. Daniel dated 05/30/14 re: 871 Federal Road, Site Inspection and Recommendations for Riverview, Brookfield -**

WEO Daniel referred to the above letter of S. Hayden. The additional invasives will be flagged tomorrow. There was discussion regarding whether the Commission needed to be consulted for a change of this minimal scope. It was noted that the original plan showed extensive planting plan along the woods. After some discussion, the Commission advised that the matter can be handled by WEO Daniel.

No motions.

Miscellaneous

1 High Ridge Road – Chairperson Fox inquired regarding the status of this matter. There was discussion regarding requesting the Town Attorney to attend the next meeting so that he may advise the Commission how to record the court's resolution on the land records. **Secretary Mulvaney moved to have the Town Attorney come to June 23, 2014 meeting for the purposes of discussing 1 High Ridge Road. Commissioner Huttemann seconded the motion, and it carried unanimously.**

b. Site Inspection Reports

540 Federal Road (Oak Meadows)

- **Letter from S. Hayden of the Northwest Conservation District dated 06/03/14**

WEO Daniel advised that S. Sullivan of CCA responded to the issue regarding the temporary sediment trap. She also stated that when the current phase of construction is completed, the wetland mitigation plan will be completed.

40 & 64 Laurel Hill Road (Residences at Laurel Hill)

- **Letter from S. Hayden of Northwest Conservation District dated 05/30/14**

S. Hayden noted that the site is not registered on a national registry for stormwater discharge. He continues to conduct weekly inspections.

No motions.

4. Old Business:

- a. **248 Whisconier Rd #201400339: New Construction of Single Family Residence & associated site improvement (dec date 07/16/14)**
 1. **Plans prepared by DiVesta Civil Engineering Associates, Inc., received in the Land Use Office on 06/06/14:**
 - **Sheet 1 of 2 – Proposed On-Site Subsurface Sewage Disposal System dated 11/08/13; revised through 06/04/14**
 - **Sheet 2 of 2 – Details dated 11/08/13; revised through 06/04/14**

D. DiVesta, P.E., was present on behalf of the applicant. He indicated that he and S. Hayden determined that a water course on the site is an intermittent watercourse. He discussed a mitigation plan for the southwest corner. The plan dated May 4, 2014 was reviewed. Secretary Mulvaney inquired if hand removal of the stones was deemed to be the best option, and Mr. DiVesta indicated it was. Chairperson Fox inquired what the timeline for the work is, and Mr. DiVesta indicated it would be done in the next couple of days, since the house is under contact.

Secretary Mulvaney moved to accept the plans from Highpoint Development Drawing #13-049-248, latest revision 6/4/14, as noted, to hand remove the stones in conveyance way, hand shovel the berm area, and the additional plantings in the upland review area; and to inform the Land Use Office upon completion. Vice Chairman Forlenza seconded the motion, and it carried unanimously.

Mr. DiVesta inquired if the Notice of Violation would be lifted, and Chairperson Fox indicated it would be lifted upon completion of the work.

5. New Business:

- a. **Still River Greenway, #201400000: Phase Two – Approval Stipulation #6**
 1. **Email correspondence between D. DiPinto, Director of Parks and Recreation Department and E. Cole Prescott Re: Stipulation of Approval #6**
 2. **Plans prepared by Fuss & O’Neill received in the Land Use Office on 05/29/14:**
 - **Sheet D-511 – Site Details dated 05/03/12; revised through 04/29/14**
 - **Sheet WM-104 – Wetlands Mitigation Plan dated 06/01/12; revised through 02/20/14**

It was noted that this plan was originally approved on January 27, 2014. Chairperson Fox summarized the prior action and explained to the other Commissioners where the site is located. She also pointed out the wetlands, and discussed the stipulation that was part of the January approval. The stipulation provided options to build subpavement or subterranean pipe crossings to facilitate amphibian migration.

Upon reviewing the details on the plans, Chairperson Fox noted three crossings to go under the macadam. Secretary Mulvaney remarked about the steepness, and expressed his concern that the holes may fill with water. There was discussion regarding the existence of standards for these types of crossings. Vice Chairman Forlenza suggested that the Commission send a letter to the applicant to request that it provide the standards that were used, and advise the applicant regarding the Commission’s concern of the steepness. Commissioner Huttemann also noted his concern regarding how heavy rains will affect the area.

Chairperson Fox moved, in the matter of Still River Greenway, #201400000: Phase Two – Approval Stipulation #6, to ask the applicant to provide additional information regarding the standards; what the parameters are, as the Commission has concerns about the steepness of the entrance, and water ponding in the pipes; and request that the

applicant provide written documentation or attend the next meeting on June 23, 2014. Vice Chairman Forlenza seconded the motion, and it carried unanimously.

- b. **54 Obtuse Road North #201400456: New 2,200 square feet residential single family dwelling with two-car attached garage** (*dec date 08/13/14*)
1. **Soil Survey/Wetland Delineation prepared by Pfizer-Jahnig dated 04/08/14**
 2. **Contract of Sale dated 04/08/14**
 3. **Plans prepared by CCA, LLC received in the Land Use Office on 05/30/14:**
 - **Sheet 1 of 1 – Septic System Design (Final) dated 05/12/14; revised through 05/21/14**
 - **Sheet ES1 – Sedimentation and Erosion Control Plan dated 03/03/08**
 - **Sheet 1 of 1 – Septic System Design (with no curtain drain) dated 05/12/14**

– A. Garzi, was present on behalf of the homeowners. He advised that his clients want to purchase this property. He reviewed details about the site, and referenced a plan dated 5/21/14. It includes a curtain drain at the request of the Health Inspector. Mr. Garzi indicated that a 24' X 24' existing garage was re-built in 2001. Mr. Garzi also pointed out the location of a well with a high overflow that is constantly running. He reviewed the percentage of wetlands and upland disturbance.

Mr. Garzi explained that a two-story house is being built to minimize the amount of disturbance. The plans also show wetlands plantings. Mr. Garzi further advised that a conservation easement 25' from the wetlands is being proposed. He noted that the wetlands have been flagged, and the applicant's soil scientist has filed a report. Upon inquiry, Mr. Garzi indicated that the barn has power, although that was not part of the 2001 permit.

There was discussion regarding the drainage near the wetlands. Mr. Garzi advised that the curtain drain should not affect wetlands negatively.

Upon inquiry from Chairperson Fox, Mr. Garzi indicated he has done some research regarding the history of the lot, and the date it was created, and he is willing to do more if necessary. Vice Chairman Forlenza requested that the footprint of the proposed home be submitted. Mr. Garzi indicated that the applicant has planned the house as far back from the road as possible. Additionally, hay bales and silt fence have been proposed.

Mr. Garzi agreed to do additional staking. Chairperson Fox indicated that if the plans for the location of the house are changed, the Commission would have to be consulted.

The Commissioners will inspect the site on their own. WEO Daniel advised that the bond will be for the cost of the plants.

The applicant will provide an updated and detailed plan to the Land Use Office; and stake the site over the next few days, so that the Commissioners may visit the site.

- c. **5 Pond Brook Court #201400479: Jurisdictional Ruling – Tree Removal** (*dec date 08/13/14*)
1. **Plan with location of proposed tree removal indicated, received in the Land Use Office on 06/06/14**
 2. **Final Subdivision Map of Pond Brook Estates (for reference)**

R. Boa, Property Owner, was present. The application is to remove trees. The location of trees was reviewed. Mr. Boa pointed out conservation easement. He advised that the last two houses of the subdivision are about to be built. Mr. Boa pointed out a brook in the conservation easement. The trees were destroyed by weather events. Mr. Boa has been before the Conservation Commission, and has received permission to cut and remove the standing trees. There are four oak trees, and 3-4 dead standing trees. The four oak trees will be replaced. There is a safety concern with branches on the dead trees. Mr. Boa then pointed out the drainage area and the limits of where the equipment will go. An excavator will be used to pull out the trees so that others are not affected. The stumps will be left. The trees are approximately 35-45 feet from the stream.

Vice Chairman Forlenza moved to approve a jurisdictional ruling for 5 Pond Brook Court, #201400479, so that the four trees can be removed; as long as the stumps are not pulled out; and as the trees are removed, to minimize the impact to the upland area by staying out of the area as much as possible. Secretary Mulvaney seconded the motion, and it carried unanimously.

Secretary Mulvaney left the meeting at 8:06 p.m.

d. 73 Candlewood Lake Road #200301238: 6-lot subdivision – Pond Brook Court – Request for Permit Extension –

R. Boa was present. WEO Daniel reviewed the background and explained that the relevant statute was amended in 2008. The original permit had an effective date of May 1, 2004, which includes the publication date and appeal period. There is only one house left to build under the extension.

Vice Chairman Forlenza moved, in the matter of 73 Candlewood Road, to approve the permit extension to May 1, 2018. Commissioner Huttemann seconded the motion, and it carried unanimously.

e. 22 Deerfield Road #201400482: Garage Addition & Deck Addition (dec date 08/13/14)
1. Sheet 1 of 1 – Zoning Location Survey prepared by CCA, LLC dated 08/30/13 as revised by applicant on 06/06/14

J. Sivolski, 449 Booth Hill Rd., Trumbull, CT, was present on behalf of the property owner. He reviewed plans to construct additions to an existing deck by 300 feet; and an existing garage by five feet. Chairperson Fox pointed out the 220 line. A foundation will be placed under the deck to allow walk out access to the pool. Mr. Sivolski estimated that approximately 20 yards of dirt will be removed. The use of silt fence is noted on the plans.

Mr. Sivolski advised that CCA performed the survey; and a renewal on the septic is also being done. A landscaping plan is also part of the proposal. The Commissioners will visit the site. Mr. Sivolski shared photographs of the house from the road. The Commission requested that the site plan be submitted, that a proposed stockpile area be planned, and that silt fence be utilized for disturbance. Upon inquiry from Mr. Sivolski, Chairperson Fox advised that wood chips would also be acceptable. The landscaping plan will be submitted prior to June 19th for review at the next meeting.

Vice Chairman Forlenza moved to continue 22 Deerfield Road, #201400482, to the next regularly scheduled meeting. Commissioner Huttemann seconded the motion, and it carried unanimously.

6. Tabled Items: None.

7. Correspondence:

- a. **Minutes of Other Boards & Commissions: 05/15/14 Planning; 05/22/14 Zoning; 06/02/14 Zoning Board of Appeals**
- b. **Letter from K. Castagnetta of Arthur H. Howland & Associates, P.C. to Town of Brookfield dated 05/14/14 Re: 98 Benson Road, Bridgewater, CT Application for Wetlands Permit**
- c. **CLEARscapes Spring 2014**

Noted.

Miscellaneous

WEO Daniel advised that Matt Sanford would like to give wetlands presentation on June 23, 2014. The meeting will begin early, at either 6 or 6:15 p.m. to accommodate the presentation.

WEO Daniel will also prepare a presentation on erosion/sedimentation control for the Commission within the next few months.

There was brief discussion regarding problems connecting to the Wi-Fi at Town Hall.

Lastly, a tour of constructed wetlands will also be offered in the near future. Existing sites that may be utilized include the mitigated area near BJ's Wholesale Club, 1050 Federal Road, and/or 8A Stage Road.

The Commissioners continue to have access to on-line training provided by WEO Daniel at an earlier meeting.

8. Review Minutes of Previous Meetings: 05/19/14 – Vice Chairman Forlenza moved to accept the Minutes of the May 19, 2014 meeting. Commissioner Kukk seconded the motion, and it carried unanimously.

9. Informal Discussion: None.

10. Adjourn: Chairperson Fox moved to adjourn the meeting at 8:30 p.m. Commissioner Huttemann seconded the motion, and it carried unanimously.

****Next regular meeting scheduled for June 23, 2014****